

DELEGATE J. CLARK (presiding):
The Chair recognizes Delegate Koss.

DELEGATE KOSS: Delegate Dukes, in your interpretation, therefore, would lottery be dependent upon whether or not it raised money?

DELEGATE J. CLARK (presiding):
Delegate Dukes.

DELEGATE DUKES: You mean whether or not it was successful or whether or not it was intended to raise money?

DELEGATE KOSS: Well, its primary intent, just baldly that. The reason for my question is that Chairman Sherbow said that in the so-called give-aways dependent upon a purchase, he would interpret that as a lottery.

DELEGATE J. CLARK (presiding):
Delegate Dukes.

DELEGATE DUKES: Your question is?

DELEGATE J. CLARK (presiding):
Delegate Koss.

DELEGATE KOSS: Would you give it the same interpretation?

DELEGATE J. CLARK (presiding):
Delegate Dukes.

DELEGATE DUKES: Yes.

DELEGATE J. CLARK (presiding):
Delegate Koss.

DELEGATE KOSS: Then my next question is that Delegate Sherbow said that the intention of the majority was to continue the same language which is now in section 36 and the same effect. Would it not be true then that these games were now illegal?

DELEGATE J. CLARK (presiding):
Delegate Dukes.

DELEGATE DUKES: I do not think that the interpretation placed on the language proposed by Judge Sherbow is a continuation of the same thing that the present prohibition says. I disagree with that. I think the present prohibition says that the State may not make grants and therefore it would prohibit state action or state authorized actions. As I understood Judge Sherbow, anything, regardless of whether the State sanctioned it, authorized it, permitted it or otherwise would be prohibited by an individual if it were a lottery under the new language. In my opinion the old language did not go that far.

DELEGATE J. CLARK (presiding):
The Chair recognizes Delegate Vecera.

DELEGATE VECERA: Delegate Dukes, what is the construction of the word "lottery" as it is presently being used in the Majority Report?

DELEGATE J. CLARK (presiding):
Delegate Dukes.

DELEGATE DUKES: I have no idea.

DELEGATE J. CLARK (presiding):
Delegate Vecera.

DELEGATE VECERA: If we have no idea, then how are we to vote intelligently upon a word if we have no conception as to what the meaning is?

DELEGATE J. CLARK (presiding):
Delegate Dukes.

DELEGATE DUKES: Do what I tell you.

(Laughter.)

DELEGATE J. CLARK (presiding):
The Chair recognizes Delegate Vecera.

DELEGATE VECERA: I have one more question. What is that?

DELEGATE J. CLARK (presiding):
Delegate Dukes.

DELEGATE DUKES: I would try to tell you quickly so that you could follow.

DELEGATE J. CLARK (presiding):
Delegate Vecera.

DELEGATE VECERA: What do you tell us to do?

DELEGATE J. CLARK (presiding):
Delegate Dukes.

DELEGATE DUKES: I discussed with the Chairman of the Committee a couple of days ago whether or not it was actually necessary to submit some form of amendment and I suggested to him it was our position unless he indicated otherwise that the vote on the issue could be focused simply by a vote for the Committee proposal which would be in favor of the ban as proposed, a vote against the Committee Recommendation if it did not, so unless the issue changes by amendment or some other means as I understand it, subject to correction by Judge Sherbow or the Chair, if you were in favor of the ban in the constitution, you would vote for the Committee Recommendation, if you were against it in its present form or any form you would vote against the Committee Recommendation.

DELEGATE J. CLARK (presiding):
Delegate Vecera.